



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

APR 2 2009

Rob Beeson, Chairman and Co-President
Tegrant Diversified Brands, Inc.
29 Park Road
Putnam, Connecticut 06260

Re: Clean Air Act Reporting Requirement, Docket No AAA-09-0015

Dear Mr. Beeson:

The United States Environmental Protection Agency ("EPA") is evaluating whether the facility owned by Tegrant Diversified Brands, Inc. ("Tegrant") in Putnam, Connecticut is in compliance with the Clean Air Act (the "Act") and state and federal regulations promulgated under the Act. The regulations include the federally enforceable sections of the Regulations of Connecticut State Agencies Title 22a, Sections 22a-174-1 to 22a-174-200, Abatement of Air Pollution.

EPA previously issued a reporting requirement to Tegrant Corporation in February 2008. EPA is issuing this second reporting requirement to acquire additional information relating to Tegrant's Putnam, Connecticut facility. To the extent Tegrant submitted information in response to the first EPA reporting requirement, which is also responsive to this second reporting requirement, Tegrant should so state in its response where appropriate and indicate the date such information was previously submitted. Tegrant does not need to submit such information a second time.

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require a facility to submit such information as EPA may reasonably require to determine the facility's compliance with the Act. Therefore, within **30 days** of the date Tegrant receives this reporting requirement, Tegrant is required to provide all of the information outlined below for the Putnam facility unless otherwise specified. Tegrant shall provide all information in its possession or under its control, including information pertaining to periods under the ownership of: Tuscarora Incorporated; SCA Packaging North America – Packing Division, Inc.; SCA Packaging North America, Inc.; and Tegrant Diversified Brands, Inc. Provide a separate numbered response to each numbered paragraph or subparagraph below:

1. For each and every piece of equipment that has or had the potential to emit volatile organic compounds ("VOCs") and which Tegrant placed or installed at the Putnam facility between the date Tegrant acquired the facility in 1989 and the present, provide the following:

- a. The potential to emit VOCs (in tons per year) of each piece of equipment. Include a detailed explanation of these *equipment specific* VOC potential to emit calculations;
 - b. The potential to emit VOCs (in tons per year) of the entire Putnam facility at the time each piece of equipment identified in response to 1a. above was placed or installed at the facility. Identify each and every piece of equipment included in the calculation. Include a detailed explanation of these *facility-wide* VOC potential to emit calculations; and
 - c. The total annual actual VOC emissions (in tons per year) from the Putnam facility for each of the years 1989 to the present. Include a detailed explanation of these *actual annual* VOC emissions calculations.
2. For each and every permit issued to Tegrant by the Connecticut Department of Environmental Protection ("CT DEP"), during the period 1989 to the present, which was in any way related to emissions of VOCs at or from the Putnam facility, provide the following:
- a. Identify by name and date, and provide a copy of, each and every permit issued that allowed or allows for the addition of one or more pieces of VOC-emitting equipment without requiring a permit change or amendment and without requiring a new permit;
 - b. Identify by name and date, and provide a copy of, each and every permit issued that allowed or allows for the replacement or exchange of one or more pieces of VOC-emitting equipment for one or more other pieces of VOC-emitting equipment without requiring a permit change or amendment and without requiring a new permit;
 - c. For each placement or installation of a piece of VOC-emitting equipment that was an addition to the facility for which Tegrant did not apply for and obtain a permit change or amendment or a new permit, explain the reason Tegrant did not apply to the CT DEP for a permit change or amendment or a new permit;
 - d. For each placement or installation of a piece of VOC-emitting equipment that was a replacement or exchange for one or more other pieces of VOC-emitting equipment, for which Tegrant did not apply for and obtain a permit change or amendment or a new permit, explain the reason Tegrant did not apply to the CT DEP for a permit change or amendment or a new permit;
 - e. For each addition of equipment identified in response to item 2.c. above, provide any and all associated documents and VOC emissions analyses. Include in your response all correspondence, internal and external communications, e-mails, and any other documents;

- f. For each replacement or exchange of equipment, identified in response to item 2.d. above, provide any and all associated documents and VOC emissions analyses. Include in your response all correspondence, internal and external communications, e-mails, and any other documents;
 - g. For each addition of equipment identified in response to item 2.c. above, explain why Lowest Achievable Emission Rate ("LAER") technology was not employed. If the reason that LAER was not employed is that major nonattainment new source review did not apply to the addition, include in your response any and all related emissions analyses and other documents; and
 - h. For each addition or replacement or exchange of equipment identified in response to item 2.d. above, explain why LAER technology was not employed. If the reason that LAER was not employed is that major nonattainment new source review did not apply to the addition, include in your response any and all related emissions analyses and other documents.
3. Provide copies of any and all documents relating in any manner to whether major or minor new source review permitting requirements were triggered at the Putnam facility for the period 1989 to the present.
4. Identify and provide copies of all permits issued to Tegrant by the CT DEP for the Putnam facility for the period 1989 to the present, in which the addition, replacement or exchange of VOC-emitting equipment was the reason for the new or amended permit. If no such permits were issued, so state.
5. Describe the relationship(s) among the following corporate entities:
- a. Tuscarora Incorporated;
 - b. SCA Packaging North America – Packing Division, Inc.;
 - c. SCA Packaging North America, Inc.; and
 - d. Tegrant Diversified Brands, Inc.
6. For the time period 1989 to the present, identify and provide copies of all permit transfers that were issued to Tegrant by the CT DEP for the Putnam facility as a result of any changes in ownership.
7. Indicate whether Tegrant interprets its current Title V operating permit as allowing for the addition, replacement or exchange of VOC-emitting equipment without the need for an amended or new permit from the CT DEP. If so, explain the basis for this position and also explain how such additions, replacements or exchanges would not trigger the major or minor new source review permitting requirements applicable in the State of Connecticut.

All information submitted in response to this reporting requirement must be certified as true, correct, accurate, and complete by an individual with sufficient knowledge and authority to make

such representations on behalf of Tegrant. As a result, a duly authorized officer or agent of Tegrant must sign the enclosed Statement of Certification and return it with the response.

The information Tegrant provides may be used by EPA in administrative, civil, and criminal proceedings. Failure to provide the required information may result in the initiation of a civil action pursuant to Section 113(b) of the Act, 42 U.S.C. §7413(b). In addition, knowingly providing false information in response to this information request may be actionable under Section 113(c) of the Act, 42 U.S.C. § 7413(c), and 18 U.S.C. §§1001, 1341.

Tegrant is entitled to assert a business confidentiality claim, covering all or part of the information that this information request requires, except that no such claim can be made with respect to emission data as defined at 40 C.F.R. §2.301(a)(2). Any such business confidentiality claim must be made in accordance with the procedures described at 40 C.F.R. § 2.203(b). EPA will provide the public with information subject to a claim of business confidentiality only in accordance with the procedures set forth in 40 C.F.R. Part 2, subpart B. EPA may provide the public with any information not subject to such a claim without further notice to Tegrant. This information request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501 et seq.

Tegrant should submit its response to this information request to:

Susan Studlien, Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency, Region 1
One Congress Street, Suite 1100
Boston, MA 02114
Attn: Christine Sansevero, Air Technical Unit (Mail Code SEA)

If you have any questions regarding this information request, please contact Christine Sansevero, at 617-918-1699 or, your counsel may contact Gregory Dain, Senior Enforcement Attorney, at 617-918-1884.

Sincerely,



Susan Studlien, Director
Office of Environmental Stewardship

Enclosures

cc: Robert Girard, CT DEP
Vicky Brind'Amour, Director, EHS and Regulatory & Mfg. Standards (Tegrant)

SECTION 114 REPORTING REQUIREMENT TO TEGRANT

STATEMENT OF CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

(Signature)

(Title)

(Date)